

BILL NO. G-69-05- 37

GENERAL ORDINANCE NO. G- 58-69

AN ORDINANCE amending the Building Code with respect to certain definitions.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The definitions of "Basement" and "Cellar" found in Section 202 of Division 200 of Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended and recodified by General Ordinance No. G-66-66, passed by the Common Council on June 14, 1966, and approved by the Mayor on June 15, 1966, hereinafter referred to as the Building Code, are hereby amended to read as follows:

"Basement shall mean that portion of a building located partly under-ground, but having less than 50%(fifty per cent) of its clear floor-to-ceiling height below the average grade of the adjoining ground."

"Cellar shall mean that portion of a building located partly or wholly underground, and having 50%(fifty per cent) or more of its clear floor-to-ceiling height below the average grade of the adjoining ground."

SECTION 2. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.



APPROVED AS TO FORM  
AND LEGALITY



CITY ATTORNEY

Bill No. G-69-05-37

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the Building Code with respect to certain definitions,

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

EDWIN J. ROUSSEAU, Chairman

JOHN H. ROBINSON, Vice-Chairman

THOMAS G. ADAMS

JACK K. DUNITON

PHIL A. STEIGERWALD

*Edwin J. Rousseau*

*Thomas G. Adams*

*Jack K. Duniton*  
*Phil A. Steigerwald*

CONCURRED IN  
DATE 6-10-69 FUAD C.



Read the first time in full and on motion by Rousseau seconded by  
Geake and duly adopted, read the second time by title and referred  
to the (Committee on) Regulations (and to the City Plan  
Commission for recommendation) (and Public Hearing to be held after due legal notice,  
at the Council Chambers, City Hall, Fort Wayne, Indiana, on \_\_\_\_\_  
the \_\_\_\_\_ day of \_\_\_\_\_ 196 \_\_\_\_\_, at \_\_\_\_\_ o'clock  
P.M., E.S.T.

Date: 5-27-69

Frank G. Bonachoon  
City Clerk

Read the third time in full and on motion by Rousseau  
seconded by Geake and duly adopted, placed on its passage.  
Passed (~~LOST~~) by the following vote:

AYES 6, NAYS 0, ABSTAINED \_\_\_\_\_, ABSENT 3 to-wit:

Adams	<input checked="" type="checkbox"/>	_____	_____	_____
Dunifon	<input checked="" type="checkbox"/>	_____	_____	_____
Fay	_____	_____	_____	<input checked="" type="checkbox"/>
Geake	<input checked="" type="checkbox"/>	_____	_____	_____
Nuckols	_____	_____	_____	<input checked="" type="checkbox"/>
Robinson	_____	_____	_____	<input checked="" type="checkbox"/>
Rousseau	<input checked="" type="checkbox"/>	_____	_____	_____
Steigerwald	<input checked="" type="checkbox"/>	_____	_____	_____
Tipton	<input checked="" type="checkbox"/>	_____	_____	_____

Date 6-10-69

Frank G. Bonachoon  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 9-58-69

on the 10<sup>th</sup> day of June, 196 9.

ATTEST: (SEAL)

Frank G. Bonachoon  
City Clerk

Robert H. Tipton  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11<sup>th</sup> day  
of June, 196 9 at the hour of 8:30 o'clock 11 A.M., E.S.T.

Frank G. Bonachoon  
City Clerk

Approved and signed by me this 11<sup>th</sup> day of June, 196 9,  
at the hour of 9:27 o'clock A.M., E.S.T.

Harold S. Zeis  
Mayor



Common Council- City of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	
Body number of lines	80
Tail number of lines	1
Total number of lines in notice	81

COMPUTATION OF CHARGES

81 lines, columns wide equals equivalent lines at 288¢ cents per line	\$ 23.33
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$ 23.33

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla De Wald

Date June 30, 1969

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

June 20, 1969

June 27, 1969

Arvilla De Wald

Subscribed and sworn to before me this 30th day of June 1969

Edith Stapleton

Notary Public

My commission expires March 8, 1970

Notice is hereby given that on the 10th day of June, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General ordinance, to-wit:  
Bill No. G-69-05-37  
GENERAL ORDINANCE NO. G-58-69  
AN ORDINANCE amending the Building Code with respect to certain definitions.  
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:  
SECTION 1. The definitions of "Basement" and "Cellar" found in Section 202 of Division 200 of Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended and recodified by General Ordinance No. G-66-66, passed by the Common Council on June 14th, 1966, and approved by the Mayor on June 15th, 1966, hereinafter referred to as the Building Code, are hereby amended to read as follows:  
"Basement shall mean that portion of a building located partly underground, but having less than 50 per cent (fifty per cent) of its clear floor-to-ceiling height below the average grade of the adjoining ground."  
"Cellar shall mean that portion of a building located partly or wholly underground, and having 50 per cent (fifty per cent) or more of its clear floor-to-ceiling height below the average grade of the adjoining ground."  
SECTION 2. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.  
EDWIN J. ROUSSEAU, Councilman.  
Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:  
Ayes: six.  
Adams, Dunifon, Geake, Rousseau, Steigewald, Tipton.  
Nays: none.  
Absent: three, to-wit: Councilman Fay, Nuckols, Robinson.  
Date: 6-11-69.  
FUAD G. BONAHOOM, City Clerk.  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-58-69 on the 10th day of June, 1969.  
ATTEST:  
FUAD G. BONAHOOM, City Clerk.  
HERBERT G. TIPTON, Presiding Officer.  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of June, 1969, at the hour of 8:30 o'clock A.M. E.D.T.



Common Council- City of Ft. Wayne.  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	-
Body number of lines	80
Tail number of lines	1
Total number of lines in notice	81

COMPUTATION OF CHARGES

81 lines, columns wide equals equivalent lines at 28¢ cents per line	\$23.33
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$23.33

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald  
CLERK

Date June 30, 1969

Title

Notice is hereby given that on the 10th day of June, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to-wit:  
Bill No. G-69-05-37  
GENERAL ORDINANCE NO. G-58-69  
AN ORDINANCE amending the Building Code with respect to certain definitions.  
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:  
SECTION 1. The definitions of "Basement" and "Cellar" found in Section 202 of Division 200 of Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended and recodified by General Ordinance No. G-66-66, passed by the Common Council on June 14th, 1966, and approved by the Mayor on June 15th, 1966, hereinafter referred to as the Building Code, are hereby amended to read as follows:  
"Basement" shall mean that portion of a building located partly underground, but having less than 50 per cent (fifty per cent) of its clear floor-to-ceiling height below the average grade of the adjoining ground."  
"Cellar" shall mean that portion of a building located partly or wholly underground, and having 50 per cent (fifty per cent) or more of its clear floor-to-ceiling height below the average grade of the adjoining ground."  
SECTION 2. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.  
EDWIN J. ROUSSEAU, Councilman.  
Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:  
Ayes: six.  
Adams, Dunifon, Geake, Rousseau, Steigerwald, Tipton.  
Nays: none.  
Absent: three, to-wit: Councilman Fay, Nuckols, Robinson.  
Date: 6-11-69.  
FUAD G. BONAHOOM, City Clerk.  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-58-69 on the 10th day of June, 1969.  
ATTEST:  
FUAD G. BONAHOOM, City Clerk.  
HERBERT G. TIPTON, Presiding Officer.  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of June, 1969, at the hour of 8:20

PUBLISHER'S AFFIDAVIT

State of Indiana }  
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

June 20, 1969

June 27, 1969

Subscribed and sworn to before me this 30th day of June 1969

Edith Stapleton  
Notary Public  
My commission expires March 8, 1970



Common Council, City of Ft. Wayne  
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA.....

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head    number of lines	_____
Body    number of lines	_____80_____
Tail    number of lines	_____1_____
Total number of lines in notice	_____81_____

COMPUTATION OF CHARGES

81 lines, _____ columns wide equals _____ equivalent lines at .288¢ cents per line	\$ 23.33
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	_____
Charge for extra proofs of publication (50 cents for each proof in excess of two)	_____
TOTAL AMOUNT OF CLAIM	\$ 23.33

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Title.....Clerk.....

Date June 30, 19 69

Notice is hereby given that on the 10th day of June, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General ordinance, to-wit:

Bill No. G-69-05-37

GENERAL ORDINANCE NO. G-58-69

AN ORDINANCE amending the Building Code with respect to certain definitions. BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The definitions of "Basement" and "Cellar" found in Section 202 of Division 200 of Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended and recodified by General Ordinance No. G-56-66, passed by the Common Council on June 14th, 1966, and approved by the Mayor on June 15th, 1966, hereinafter referred to as the Building Code, are hereby amended to read as follows:

"Basement shall mean that portion of a building located partly underground, but having less than 50 per cent (fifty per cent) of its clear floor-to-ceiling height below the average grade of the adjoining ground."

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SECTION 2. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.

EDWIN J. ROUSSEAU, Councilman.

Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes: six.

Adams, Dunifon, Geake, Rousseau, Steigerwald, Tipton.

Nays: none.

Absent: three, to-wit: Councilman Fay, Nuckols, Robinson.

Date: 6-11-69.

FUAD G. BONAHOOM, City Clerk.

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-58-69 on the 10th day of June, 1969.

ATTEST: (SEAL)

FUAD G. BONAHOOM, City Clerk.

HERBERT G. TIPTON, Presiding Officer.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that S he is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city { of FORT WAYNE, INDIANA town }

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

June 20, 1969

June 27, 1969

A. M. Hostman

Subscribed and sworn to before me this 30th day of June 19 69

Edith Stapleton

Notary Public

My commission expires March 8, 1970



Common Council, City of Ft. Wayne  
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

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— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

-

80

1

81

## COMPUTATION OF CHARGES

81 lines.....columns wide equals.....equivalent lines at .288¢  
cents per line

\$ 23.33

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 23.33

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Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Title Clerk

Date June 30, 1969

Notice is hereby given that on the 10th day of June, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following General Ordinance, to-wit:

Bill No. G-58-69  
GENERAL ORDINANCE NO. G-58-69  
AN ORDINANCE amending the Building Code with respect to certain definitions. BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The definitions of "Basement" and "Cellar" found in Section 202 of Division 200 of Chapter 37 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended and recodified by General Ordinance No. G-66-66, passed by the Common Council on June 14th, 1966, and approved by the Mayor on June 15th, 1966, hereinafter referred to as the Building Code, are hereby amended to read as follows:

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SECTION 2. This Ordinance shall become effective upon its passage, approval by the Mayor, and publication as required by law.

EDWIN J. ROUSSEAU, Councilman.  
Read the third time in full and on motion by Rousseau seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:Ayes: six.  
Adams, Dunifon, Geake, Rousseau, Steigerwald, Tipton.  
Nays: none.Absent: three, to-wit: Councilman Fay, Nuckols, Robinson.  
Date: 6-11-69.FUAD G. BONAHOOM, City Clerk.  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-58-69 on the 10th day of June, 1969.ATTEST: (SEAL)  
FUAD G. BONAHOOM, City Clerk.  
HERBERT G. TIPTON, Presiding Officer.  
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of June, 1969, at the hour of 8:30 o'clock A.M., E.D.T.FUAD G. BONAHOOM, City Clerk.  
Approved and signed by me this 11th day of June, 1969, at the hour of 9:27 o'clock A.M., E.D.T.HAROLD S. ZEIS, Mayor.  
I, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of General Ordinance No. G-58-69 passed by the Common Council on the 10th day of June, 1969, and that said Ordinance was duly signed, and approved by the Mayor on the 11th day of June, 1969, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 18th day of June, 1969.

FUAD G. BONAHOOM, City Clerk.

6-20-27.

Legals

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

June 20, 1969

June 27, 1969

Subscribed and sworn to before me this 30th day of June 19 69

Edith Stapleton  
Notary Public

My commission expires March 8, 1970